

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
JOHN R. WAZNAK : CHAPTER 13
Debtor. :

EARNEST, INC :
Movant, :
:
vs. :
JOHN R. WAZNAK : CASE NO. 5-22-01258
Respondents. :

**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY UNDER SECTION 362**

AND NOW COMES, John R. Waznak, the Debtor, and files an Answer to Earnest Inc.'s

Motion for Relief From the Automatic Stay:

1. John R. Waznak (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Movant alleges that Debtor has failed to make post-petition mortgage payments.
3. The post-petition arrears through November 2022 were included in Debtor's Amended Chapter 13 Plan.
4. In the event there remains an arrears, the Debtors wish to enter into a Stipulation to cure the arrears over a six (6) month period and/or include the arrears in an amended Chapter 13 Plan.
5. Movant is not entitled to relief from the automatic stay as the arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and/or a six (6) month Stipulation, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: December 1, 2022

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID# 59887
381 N. 9th Avenue
Scranton, PA 18504
(570) 347-7764

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 1, 2022, he caused a true and correct copy
of Debtor's Answer to Earnest, Inc.'s Motion for Relief from the Automatic Stay to be served Via
First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Jack N. Zaharopoulos, Esq. at info@pamd13trustee.com

Denise Carlon, Esq. at DCarlon@kmlawgroup.com

Dated: December 1, 2022

/s/Tullio DeLuca
Tullio DeLuca, Esquire